

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : CONSOLIDATED UNDER
LIABILITY LITIGATION (No. VI) : MDL 875
:
JOAN FRAWLEY, Individually :
and as Administratrix of the :
Estate of TALBOT FRAWLEY, :
:
Plaintiffs :
:
:
CIVIL ACTION
v. : NO. 07-69124
:
:
GENERAL ELECTRIC CO., ET AL., : Transferred from the Southern
:
District of New York
:
Defendants. :
:

FILED
DEC - 6 2010
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this **2nd** day of **December 2010** it is hereby **ORDERED** that the Report and Recommendation issued by Magistrate Judge Elizabeth T. Hey (doc. no. 46) as to Defendant Exxon Mobil's Motion to Dismiss and Multiple Defendants' Motion to Preclude is **ADOPTED**.¹

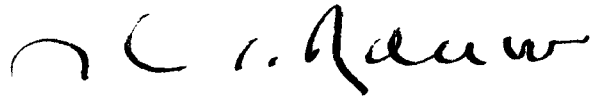
It is further **ORDERED** that Defendant Exxon Mobil's Motion to Dismiss (doc. no. 36) filed on June 16, 2010 is **DENIED** without prejudice on the issue of punitive damages.

It is further **ORDERED** that Defendant Exxon Mobile, Foster Wheeler LLC, and General Electric Co.s' Motion to Preclude (doc. no. 37) filed on June 16, 2010 is **DENIED** without prejudice with

¹ No objections were filed within fourteen (14) days as provided for by Local Rule of Civil Procedure 72.1.

leave to raise the issue in the transferor court upon remand, for the reasons stated in Magistrate Judge Hey's Report and Recommendation.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Eduardo C. Robreno". The signature is fluid and cursive, with a large initial "E" and "R".

EDUARDO C. ROBRENO, J.